



Serial No.: 10/081,095 :
Filing Date: 02/22/2002 :
Inventor: Loewenstein :
Group Art Unit: 3711 :
Examiner Collins :
Title: Cards and Card Game :

DECLARATION OF JON K. HAFEZI

I, Jon K. Hafezi, declare as follows:

1. I am the president and founder of Integrated Systems Design (ISDgames™), a business located at 2971 Interstate Street, Charlotte, North Carolina 28208.
2. ISDgames™ has been in the business of selling and leasing video poker, blackjack and slot machines in the gambling industry to various casinos in the United States and internationally for the past 7 years.
3. Prior to founding ISD, I was an executive in the gaming industry for over 10 years at various firms.
4. As an industry executive, I have seen hundreds of different video poker and blackjack games. Furthermore, I have designed a number of such games myself many of which are currently being used in casinos throughout the country and in various countries around the world.
5. I have reviewed the pending patent application, and have read Exhibit A, which I understand are the pending claims. I have also played games based on the invention in that application.

6. I have further reviewed the existing patents of Stanton (UK #8,744), Needler (US Pat. No. D301,592), Hoyt (US Pat. No. 6,149,155), Silliman (US Pat. No. 1,390,824) and Marks (US Pat No. 5,882,260). I also am familiar with the poker games designed by Moody.

7. With respect to Needler the design on the card back is not related to a card's suit, and no one of ordinary skill in the art would see it as such. It is an arbitrary design that has no relationship whatsoever to the card's suit.

8. The Stanton patent's reference to card backs is unlike the pending application because it affects the distribution of cards prior to the start of a game and is not related to the suit or card value of individual cards.

9. The Hoyt patent is unrelated to the back side of the card, and is, therefore, unlike the pending application.

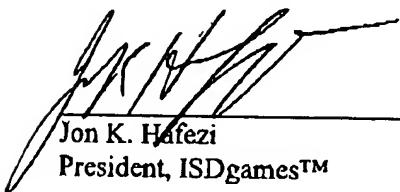
10. After reviewing these patents, and based on my knowledge of the prior art, I see no mention of any card that has separated the suit and the card value so that when the card is first dealt it displays the suit alone and not the card value. In my opinion this is a novel feature.

11. Similarly, I know of no card in the prior art that when first dealt shows the suit alone, and after the player selects the card it displays both the suit and the card value. In my opinion this is a novel feature.

12. Therefore, I conclude the pending application is novel, and I further conclude that even if these references were combined they would not yield the claimed inventions.

13. I further conclude that the claimed invention would not have been obvious to a person of ordinary skill in the art.

I declare under penalty of perjury that the foregoing is true and correct.



Jon K. Hafezi
President, ISDgames™

8/30/04

APPENDIX A

1. (Amended three times) A method to play cards, where each card has a suit and a card value, when each card is dealt it displays the card's suit but not the card's value, and when a player selects a card both the card's suit and card's card value are displayed.

2. (Amended four times) A deck of playing cards, or an electronic representation of playing cards, where some of the cards have the card's suit on one side but not the card's value and both the card's suit and card's value on the other, and the remaining cards are conventional cards that display both the suit and card value on the same side of the card and display neither the suit nor card value on the other side.

3. (Amended four times) A method to play a video poker game where cards are dealt from a deck comprising cards that have four suits and a series of card values; the cards are dealt in a diamond pattern, each of the four sides of the diamond forming a five card poker hand with three interior cards and two corner cards where some or all of the cards display the suit, but not both the card's suit and card's value when dealt; the player is allowed to exchange cards between hands; after the exchanges, both the card's suit and card's value of the cards are displayed; each hand is then compared to a payable and the player is paid off according to the payable.

4. (Amended three times) The method to play a video poker game of claim 3 where the corner cards are conventional cards dealt face down, the player is permitted to exchange some or all of the interior cards; after the exchange both the suit and card value of the interior cards are displayed; the corner cards are turned face-up, and the player is paid off according to the payable.

5. (Amended three times) A method to play a video poker game where two or more hands of cards are dealt from a deck that has cards with four suits and a series of card values, where some or all of the cards display the suit, but not both the suit and card value when dealt, one or more bets can be placed, the cards then display both the suit and card value, and the player is paid off according to a payable.

13. (Amended twice) A method to use playing cards, or an electronic representation of playing cards, for playing gambling card games like poker and blackjack where the cards have both suits and card values; when the cards are dealt the card's suit is displayed, but the card's value is not displayed; when a player selects a card both the card's value and the card's suit are displayed.

18. (Amended twice) The method of claim 13 where more than 5 cards are dealt and the player is required to select a five card poker hand from the dealt cards.

19. (Amended once) A method of playing video poker comprising:

- (a) dealing cards from a deck of playing cards that have suits and a series of card values;
- (b) having the cards display the suit, but not the card value when dealt;
- (c) allowing a player to select one or more cards to form a poker hand;
- (d) after the player selects each card, displaying both the card value and suit of the card;
- (e) comparing the resulting hand to a payable; and
- (f) paying the player according to the payable.

20. (Original) The method of claim 19 where some of the cards are conventional with non-descriptive backs.

21. (Original) The method of Claim 19, where cards are dealt in diamond pattern.

22. (Amended twice) ~~The method of Claim 13,~~ A method to use playing cards, or an electronic representation of playing cards, for playing gambling card games like poker and blackjack where the cards have both suits and card values; when the cards are dealt the card's suit is displayed, but the card's value is not displayed; when a player selects a card both the card's value and the card's suit are displayed[.] and where cards are dealt in diamond pattern to play a poker-type game and where each side of the diamond is a separate hand; and the player is permitted to exchange cards from one hand to another, after the exchange the cards are compared to a payable and the player is paid according to the payable.

23. (Original) The method of Claim 13, where cards are dealt in a diamond pattern and where each side of the diamond is a separate five card poker hand consisting of three interior cards and two corner cards; the corner cards are conventional cards dealt face down and are shared between adjacent hands; the player is given an opportunity to exchange interior cards between hands; after the exchange each hand is compared to the payable and the player is paid according to the payable.

24. (Amended once) The method of Claim 13, where cards are dealt in a diamond pattern, where each side of the diamond is a separate five card poker hand consisting of three interior cards and two corner cards, which are shared between adjacent hands; the interior cards are conventional cards dealt face up and the corner cards display

only the suit; the player is given an opportunity to exchange interior cards between hands; after the card exchange, the corner cards change to show both the suit and card value; each hand is compared to the payable and the player is paid according to the payable.

25. (Amended once) The method of Claim 3 where the player is given the opportunity to exchange corner cards only.

30. (New) A deck of playing cards where the cards that have both suits and card values and change their appearance as follows:

when the cards are first dealt they display the suit only;

when the player selects a card, the card changes to display both the suit and the card value.

31. (New) The deck of cards of claim 30 where some of the cards are conventional cards that have the card's suit and the card's value on one side and a non-descriptive card-back.